

Knobbe Martens Olson & Bear LLP
Intellectual Property Law

AUG 18 2006

2040 Main Street
Fourteenth Floor
Irvine, CA 92614
Tel 949-760-0404
Fax 949-760-9502
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Page 1 of 1

Docket No.: MASIMO.381A

CUSTOMER NO. 20995

Applicant : Christian Shulz et al.
 App. No. : 10/631,882
 Filed : July 31, 2003
 For : Pulse Oximetry Ear Sensor
 Examiner : Vikram P. Sundararaman
 Group Art Unit : 3735

CERTIFICATE OF FAX TRANSMISSION

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August 18, 2006

Lauren Keller
 Lauren Keller, Reg. No. 56,553

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Non-Final Amendment/Response in 12 pages.

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FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims minus 20; or Previously Paid	26 - 27 = 0	1202 (\$50)	0 x 0 =	\$0
Independent minus 3; or Previously Paid	6 - 4 = 2	1201 (\$200)	2 x 200 =	\$400
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The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

Lauren Keller

Lauren Keller
 Registration No. 56,553
 Attorney of Record
 Customer No. 20,995
 (949) 760-0404

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

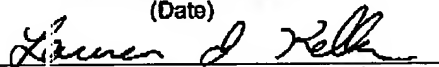
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Commissioner for Patents
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AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MAY 18, 2006

Dear Sir:

In response to the Office action of May 18, 2006, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 8 of this paper.

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